

Drug Rebate Newsletter

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Important Dates

• January 8, 2005

3Q 2004 Payment due

• February 1, 2005

AMP data due to CMS
and DHS

Family Planning, Access, Care and Treatment (FPACT)

The FPACT program has been in operation since January 6, 1997. This program provides family planning services for men and women of child-bearing age who reside in California and who have incomes under 200 percent of the poverty level.



Under the authority of section 1115(a)(2) of the Social Security Act (the Act), the following expenditures that would otherwise not be regarded as expenditures under section 1903 of the Act will be regarded as expenditures under the State's title XIX plan:

The services covered under this program include:

- All FDA-approved birth control methods, devices, and supplies
- A comprehensive reproductive health history, physical examination and pap smear
- Emergency services directly related to the contraceptive method and follow-up
- Pregnancy testing and counseling
- Prevention and treatment of sexually transmitted infections
- HIV testing and counseling
- Limited diagnostic services for fertility management
- Male and female sterilization
- Reproductive health education and counseling

Effective December 1, 1999, Health Care Financing Administration (HCFA) has approved California's waiver permitting Federal Financial Participation for selected FPACT benefits, which includes drugs. The drugs reimbursed under FPACT are eligible for rebates from pharmaceutical manufacturers under the Omnibus Reconciliation Act of 1990. On July 20, 2000, a notice went out to all drug manufacturers participating in the Drug Rebate Program. The notice advised drug manufacturers that effective December 1, 1999, California would be invoicing for FPACT utilization.

FPACT Points of Interest

- Allows for federally matched funds to be used for reproductive health services for medically indigent females.
- Aid Code 8H is unique to FPACT eligibles and their utilization.
- Family Planning – Contraceptives are financed by 90% Federal Financial Participation (FFP).
- Treatment of Sexually Transmitted Diseases (STD) - Treatment of STD's are financed by 50% Federal Financial Participation.
- FPACT was a State only program. As the result of a Federal waiver, the scope of the State-only program changed and put FPACT under Title XIX, thereby making FPACT utilization rebate eligible.
- FPACT utilization is not subject to supplemental rebates.
- FPACT rebates became effective December 1, 1999, causing the first invoice in 4Q 1999 to only contain one month of utilization. FPACT invoices continue to the present.
- Between 1Q 1997 and 1Q 1999, State-only FPACT utilization was inadvertently included in Medi-Cal utilization data and invoiced. In early 1999, the error was discovered and corrected. As a result, beginning with 2Q 1999 invoices, no FPACT utilization was invoiced.
- Beginning December 1, 1999 physician administered injections dispensed under the FPACT program were invoiced for a federal rebate under a separate invoice (FPACT HCPCS). Rebates are only requested on those codes that are mapped to just one manufacturer/labeler.



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